IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 26189 of 2003

Between:

S.K.Konda Dora S/O.Rajula Dora, Pottidorapeta Mandal, Visakhapatnam District

.... PETITIONER

AND

1 The Dist.Cooperative officer Visakhapatnam District at Visakhapatnam
2 The Divisional Cooperative officer, Yelamanchili, Visakhapatnam District
3 The Pottidorapalem PACS, Butchalahpeta Mandal,Visakhapatnam District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned action of the respondents in not paying salaries to the petitioner in the guise of suspension and further action in not paying any single paise towards salaries or subsistence allowance as highly illegal, arbitrary and violative of Art.14 of the Constitution of India

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents 1 & 2: GP FOR COOPERATION

The Court made the following order:

ORDER:

The grievance of the petitioner is that he was placed under suspension on 16.04.2002 but subsequently he was reinstated into service in the month of July 2004. As regards to the payment of subsistence allowance, it is stated that he has raised a dispute under Section 61 of the Andhra Pradesh Cooperative Societies Act. The said dispute was entertained by the second respondent and initiated enquiry vide proceedings in Rc.No.599/2003-B dated 16.05.2003, but the said dispute has not been settled so far.

Having regard to the facts and circumstances of the case, the second respondent is directed to complete the proceedings with regard to the said settlement of dispute pending under Section 61 of the Act and pass appropriate orders within eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

(V. ESWARAIAH, J)

September 7, 2004

Dsk/Kvrm

To

1 The Dist.Cooperative officer Visakhapatnam District at Visakhapatnam
2 The Divisional Cooperative officer, Yelamanchili, Visakhapatnam District

3 The Pottidorapalem PACS, Butchaiahpeta Mandal, Visakhapatnam District.

4 Two CCs to GP For Cooperation, High Court Buildings, Hyderabad (OUT).

5 Two CD Copies.